

WILDLIFE HABITAT LAND PROJECT PROPOSAL

(vers. 4/2019)

1. **Region 7 Regional Supervisor:** Brad Schmitz
Name of Applicants: B. Skone, J. Ensign
2. **Date:** June 2019
3. **Project Name:** Lost in Time/Cedar Breaks **Type of Project:** Conservation Easement
4. **Size:** Total: 58,210 acres (45,400 acres deeded + 10,250 acres BLM lease + 2,560 acre DNRC-state lands). The property is contiguous with large pieces of BLM to the north and west and several sections State lands for a much larger access footprint.
5. **Location:** Roughly 20 miles SSE of Glendive & 20 miles SW of Wibaux, MT, Wibaux County, HD 703, FWP Region 7
6. **Map(s):**

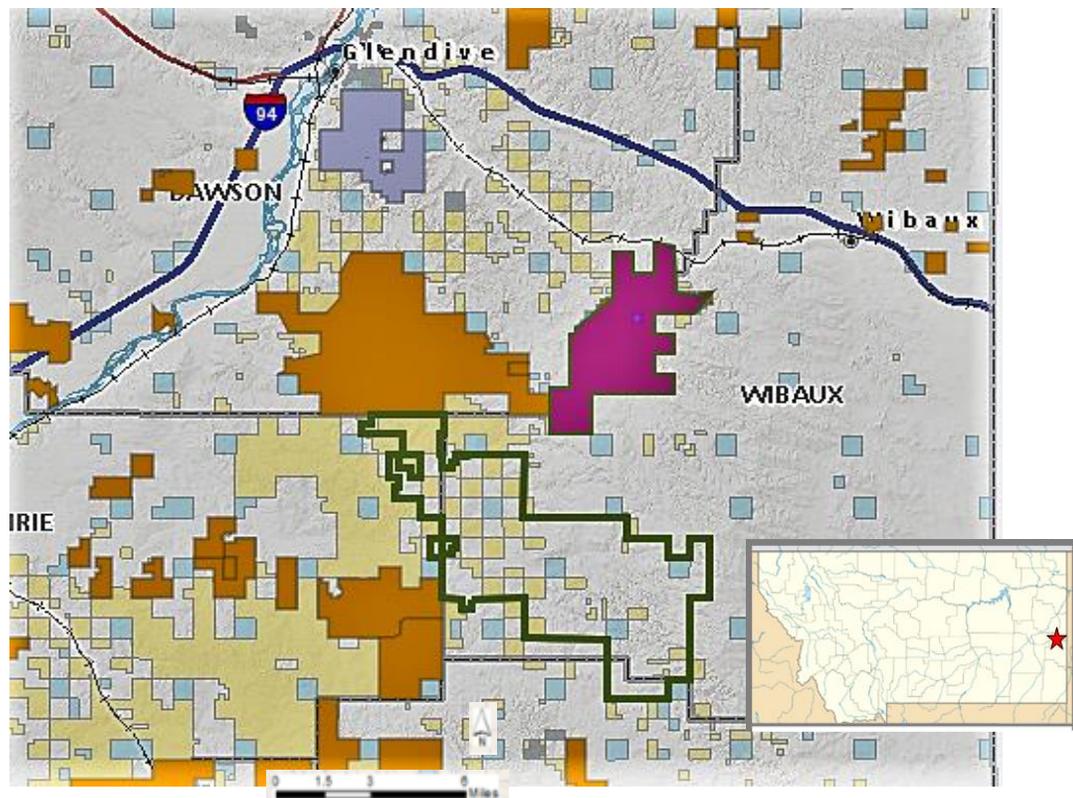


Figure 1. The proposed Lost in Time CE (dark green outline) is located 20 miles SSE of Glendive & 20 miles SW of Wibaux, MT in close proximity to a number of Block Management Areas (brown fill) and SW of the Horse Creek Complex CE (purple fill). BLM land = yellow fill; state land = blue fill.

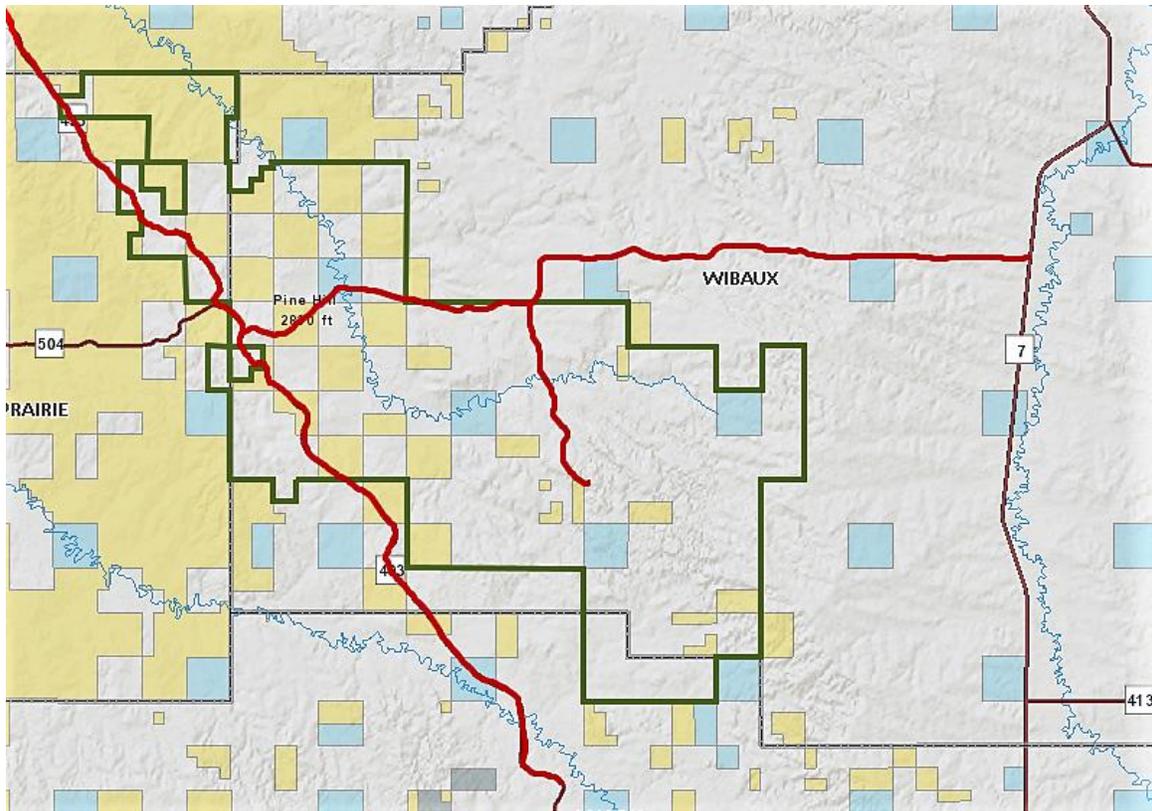


Figure 2. The Proposed lost in Time CE (green outline) is bisected by several county roads (red) . The western ½ is well accessed by roads and oil field trails providing easy public access and contains the bulk of public lands. The eastern ½ is less roaded and is primarily private land.

7. Project Need (Application Overview – limit to 1,500 characters) – **up to 10 pts.**

From vast rolling native grasslands bisected by hardwood draw habitats in the east to sagebrush grasslands and badland habitats in the middle, and juniper dominated breaks in the west and constituting the headwaters of Cedar Creek the Lost in Time Conservation Easement would provide protection for a diversity and juxtaposition of uniquely eastern Montana habitat types. Situated in a landscape dominated by private lands, the proposed easement would offer a similar diversity of outdoor recreational opportunities for Montanans and their guests. The ranch provides year-round habitat and hunting opportunity for mule deer, antelope, sage-grouse, sharp-tails, and occasionally elk. Due to the diversity and quality of habitat, the property is home to an impressive variety of SWAP Species of Greatest Conservation Need (SGCN), and could support over 40% of all SGCN. The woody draws on the property are dominated by green ash and are as impressive as they are numerous, offering critical winter cover for mule deer as well as upland game birds and other wildlife. Extensive conifer habitats on the western edge of the property supply winter cover, hiding and thermal cover. Cedar Creek drainage bisects the property and although not providing year round aquatic habitat it does provide riparian diversity to the property. The abundance of security habitat and attendant wildlife densities, will provide substantial public hunting opportunities and access, with 400-600 hunter days anticipated annually. This is probably a one-time opportunity to place a conservation easement on a large, contiguous, valuable property for wildlife and sportsmen. The impressive contiguous size and quality of habitat make the property a high priority for conservation.

8. Broad Terrestrial and Aquatic Habitat Criteria – up to 10 pts. (*List Tier I Community Types (SWAP 2015) that make up a significant portion of the property. Please provide an approximate percentage makeup of each Tier I Community Type AND the percentage of tillage cropland that would remain in production, relative to the entire property acreage. Also, include the length of riparian/stream courses on the property.*)

Approximately 85% of the property is comprised of Tier I community types (Figure 3). The property is ~ 10% Tier I deciduous or riparian habitats along Cedar Creek, its associated side tributaries and woody draws. This easement would conserve over 13 miles of Cedar Creek. Approximately 40% of the property is Tier I prairie grassland, ~20% shrub grassland (big & silver sage) , ~12% conifer (rocky mtn juniper& ponderosa pine) and roughly 3% sagebrush steppe. Badlands and sand prairie make up <13% Tier II, and < 2% of the property (1,300 acres) is Tier III prior-converted land and is currently devoted to dryland grass/alfalfa hay production. (**See photos** presented at the end of proposal).

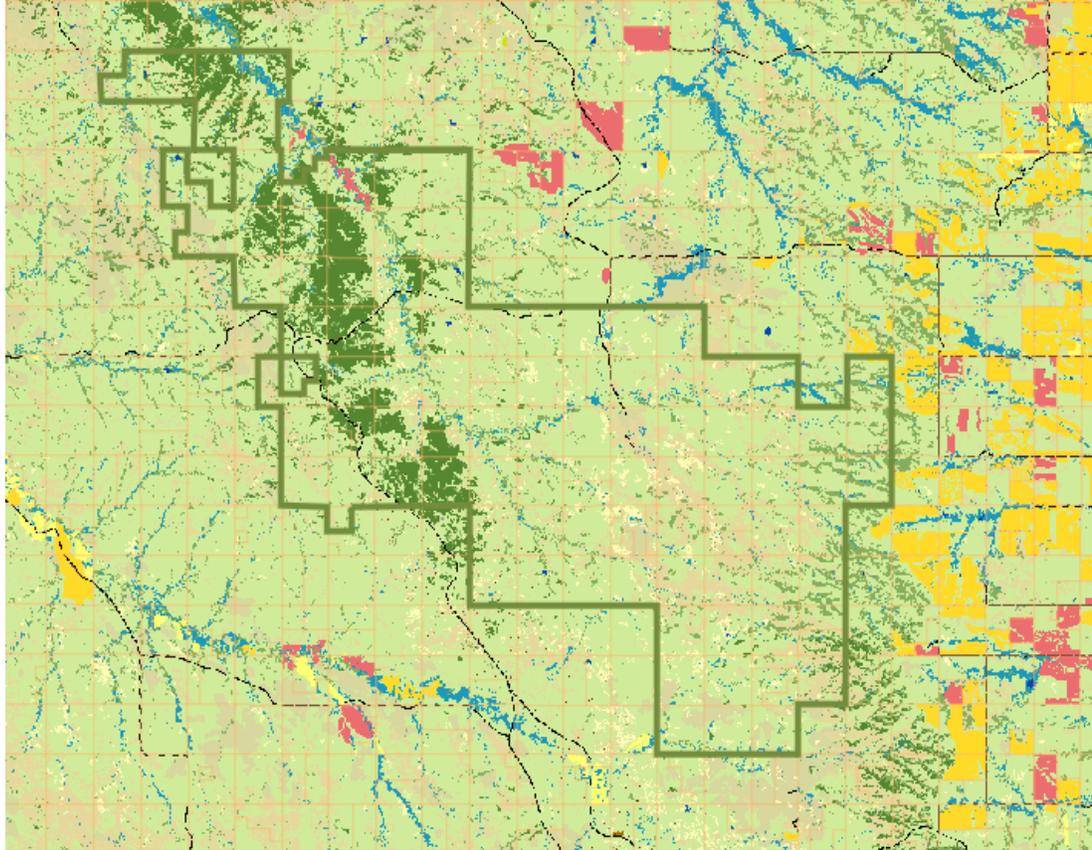


Figure 3. The proposed Lost in Time CE (green outline) is comprised of ~85% Tier I community types, ~13% Tier II and <2% Tier III community type. Dark green = conifer & green ash habitats; Blue = riparian; light green = grassland & sagebrush grassland; tan = shrub steppe & badlands.

9. Project Level Criteria

- a) **Site- Specific Habitat Values – up to 10 pts.** (What makes the habitat on this property high value? For example: Are there valuable biological/ecological characteristics such as strategic seasonal habitat for game species or species of greatest conservation need (SWAP 2015)? Is there a unique plant community that exists as a remnant of its original distribution? Does the property comprise a mix of priority habitats or a unique intact expanse of habitat?)

The ranch provides excellent year-round habitat for mule deer, with >85% of the proposed easement considered high-quality mule deer winter range. The ranch is within sage grouse general range and contains extensive, intact silver and Wyoming big sagebrush grasslands that provide nesting and winter cover for sage grouse and habitat for other sagebrush associated species. The southern portion of the ranch is good year round antelope range. The eastern portion of the ranch has extensive grassland prairie that provides habitat for declining grassland songbirds, a number of raptors, small mammals and reptiles. The ranch has extensive green ash dominated hardwood draws

with chokecherry- buffaloberry understory and provides excellent habitat for sharp-tailed grouse, songbirds, raptors, bats and white tailed deer. Elk occasionally occur on the property

Roughly 85% of the property is mule deer winter range; 10% is antelope winter range. Considered sage grouse general range, there are 5 confirmed active leks on the property and an additional 6 active leks within 2 miles of the property (Figure 4). Seven active sharp-tailed grouse leks are located on the property with an additional 3 known within 2 miles. There are likely more sharptailed leks on the property as the best sharptailed habitat on the east side has not been surveyed. Cedar Creek riparian can support Merriam's turkey and elk occasionally occur on the property.

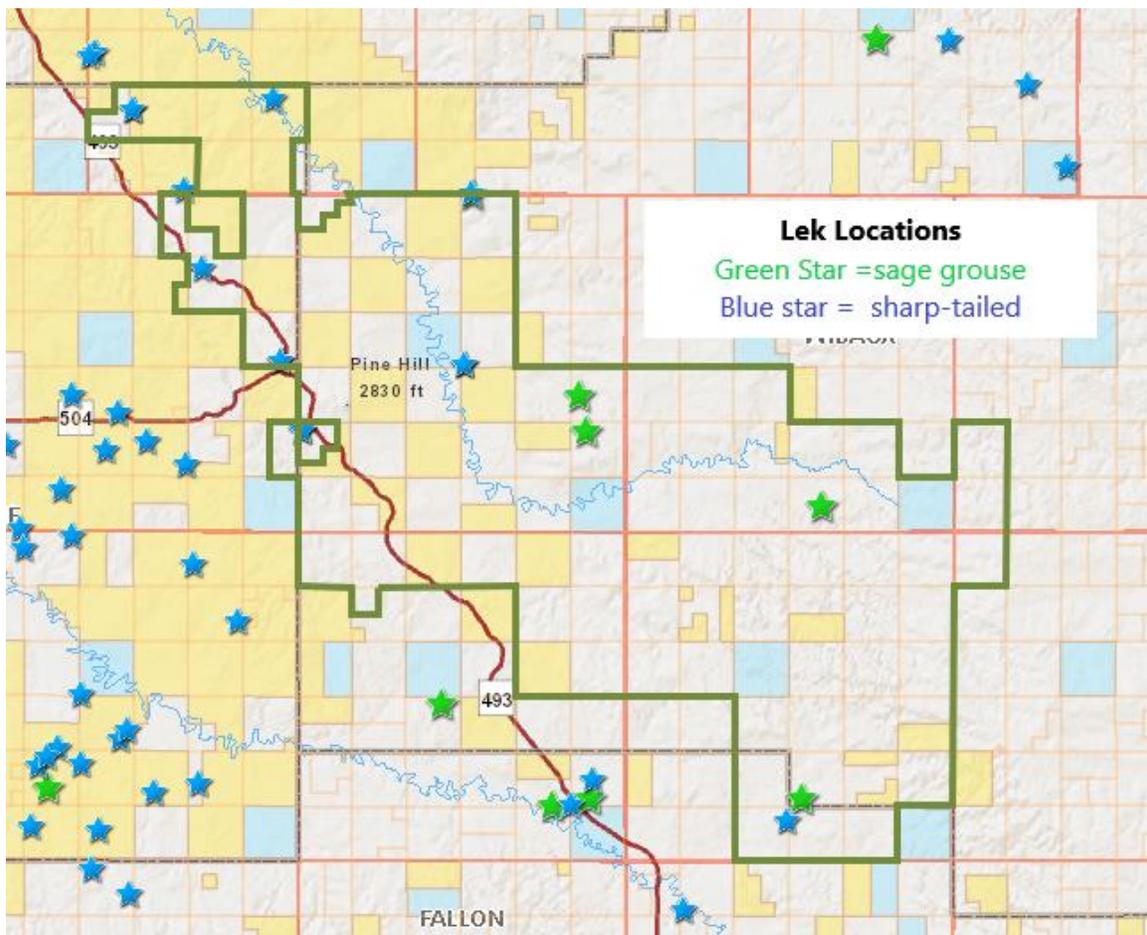


Figure 4. Confirmed Active sage and sharp-railed grouse leks on and adjacent Lost in Time CE (green outline).

Just as the diversity of habitat types on the property support a variety of game species, they also support a variety of nongame. The property is within the range of an impressive array of SWAP Species of Greatest Conservation Need (SGCN), including:

- Half (3 of 6) Amphibian SGCN: Great Plains Toad, Plains Spadefoot, Northern Leopard Frog

- Over a third (24 of 66) Bird SGCN: American Bittern, Baird's Sparrow, Bald Eagle, Black-billed Cuckoo, Bobolink, Brewer's Sparrow, Burrowing Owl, Chestnut-collared Longspur, Dickcissel, Ferruginous Hawk, Golden Eagle, Great Blue Heron, Greater Sage-Grouse, Loggerhead Shrike, Long-billed Curlew, McCown's Longspur, Pinyon Jay, Plumbeous Vireo, Red-headed Woodpecker, Sage Thrasher, Sharp-tailed Grouse, Sprague's Pipit, Veery, Yellow-billed Cuckoo
- Almost half (11 of 26) Mammal SGCN: Black-tailed Prairie Dog, Dwarf Shrew, Eastern Red Bat, Fringed Myotis, Hoary Bat, Little Brown Myotis, Merriam's Shrew, Porcupine, Preble's Shrew, Swift Fox, Townsend's Big-eared Bat
- Half (4 of 8) Reptile SGCN: Greater Short-horned Lizard, Western Hog-nosed Snake, Milksnake, Snapping Turtle

While the eastern and central portions of the property are a good fit for a Habitat Montana project the western portions of the property lie within the 100 year old Cedar Creek Anticline oil & gas field (Figure 5). Oil & gas development and related roads and infrastructure in the area is extensive (see photo I). As such this portion may not fit within the auspices of Habitat Montana. Overall habitat values are present but extensive development diminishes their effectiveness. Development is confined to what has already been developed. Roughly 2/3 (~10 sections) of BLM lease within the property boundaries are located in the Cedar Creek Anticline. The Landowner holds no mineral rights. As with much of this portion of eastern Montana there is the potential for perhaps substantial paleontological discoveries on the property.

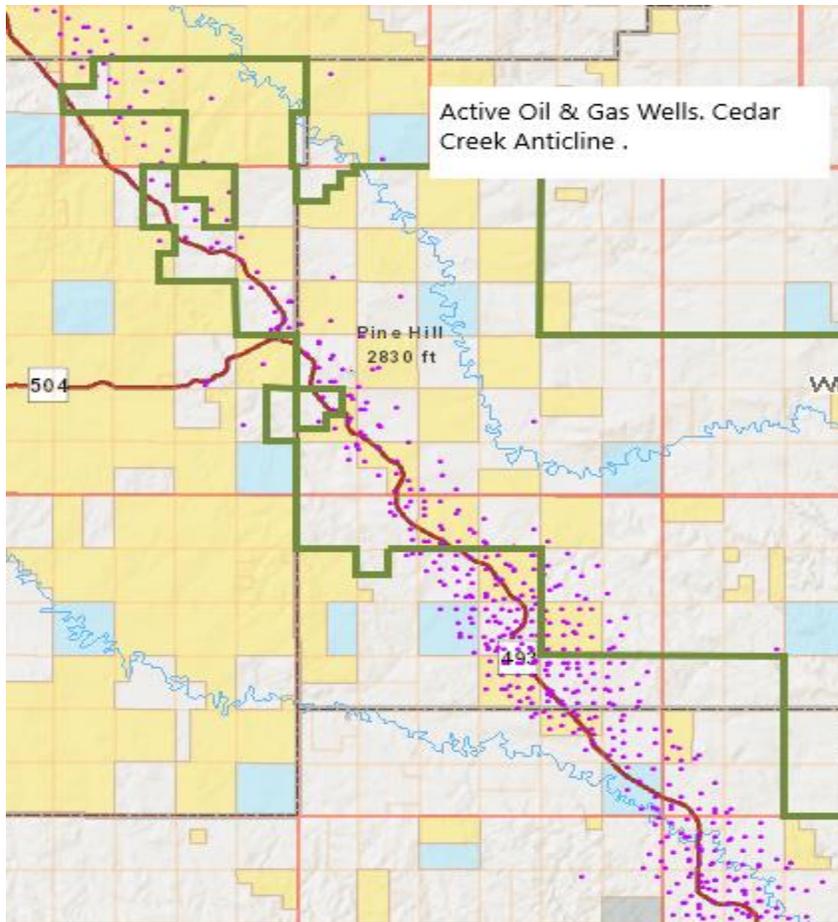


Figure 5. Active oil & gas wells (red dots) on and adjacent to the Lost in Time CE (green outline).

b) **Threat Status: PICK ONE** (and provide brief explanation)

- PROBABLE - 5 pts:

The property was on the open real estate market (asking ~\$20 M). The landowner has pulled the listing off the market and is interested in pursuing a conservation easement with MFWP. Should the property be sold, the opportunity to place the lands under easement would most likely be lost.

Riparian areas, such as Cedar Creek drainage and associated side drainages are at risk from improper grazing practices. Hardwood draws are disappearing throughout eastern Montana, in part due to grazing regimes that don't provide sufficient rest and attendant recruitment. The proposed easement contains extensive hardwood draws, with some recruitment occurring. Implementation of a three-pasture summer rest-rotation grazing system with winter pastures rested every other year will improve recruitment and allow hardwood draw habitats on the property to maintain and improve condition.

Public access to outdoor recreation in the area is at risk by commercial interests on private lands or private landowners unwilling to deal with the public. The easement represents an opportunity to conserve a large area of diverse habitat and provide extensive outdoor recreation for generations to come.

c) Focal Priority – up to 10 pts.

- *Does the project occur within a 2015 SWAP Regional Focus Area? (4 pts)*

No.

- *Is this project part of an ongoing multi-partner initiative? (3 pts)*

Area Mule Deer Foundation chapters have expressed their support for and interest in partnering on projects on FWP Conservation Easements. Interest has been expressed by Northern Great Plains Joint Venture in partnering on this project.

- *Does the property comprise substantial grasslands within an FWP Grassland Initiative priority county? (3 pts)*

Yes, the property does comprise substantial grasslands within Wibaux County, a Grassland Initiative priority county.

- *Is this project area identified as a priority in a species or multi-species conservation plan? (3 pts)*

Wibaux County is recognized as a priority county for upland game birds in the FWP UGBEP Strategic Plan, and the property is located in some of the best sharp-tail grouse habitat that Region 7 has to offer.

- *Does this proposal support an identified connectivity area/ corridor?(3 pts)*

No .

d) Geographic Effectiveness – up to 10 pts. *(This pertains how the property is configured. For example: Is the land in multiple smaller parcels or a large single parcel? One parcel is better than many isolated parcels. Is the land configured in a manner that supports the conservation values? Is the land adjacent to other protected lands or intermingled with or adjacent to FWP or other public lands, leveraging a larger block of conservation? Is this a “postage stamp” or of sufficient size to stand alone?)*

The land is in a single, expansive, contiguous parcel, and represents a key piece for conservation. It spans several large distinct habitat types that could on their own constitute easement opportunities. The current landowner purchased two separate properties and placed them under singular ownership and management. The proposed

property contributes to landscape-scale conservation because it is roughly 15 miles as the crow flies from the Horse Creek Complex Conservation Easement. BLM located adjacent to and west of the property supports prime native grasslands bisected by ash draws. The property and contributes to and would increase the public access “footprint” because it is located in close proximity to a number of existing block management areas BLM and publicly accessible state sections (Figure 1).

- e) **Contribute to hunting and fishing opportunity and other recreation – up to 10 pts.** *(Provide a layout of hunting and fishing opportunities and anticipated access arrangement. Is there well-established legal access? Easier access and areas that accommodate more days of recreation support a higher score. What other forms of recreation would occur on the property? Given location, what is the likelihood of substantial public use? Lands with a history of providing public access should receive a higher score.)*

The ranch could be expected to provide 400+ hunter days for mule deer, upland game birds, antelope, and occasionally elk. Until 2012 the west ½ of the ranch was enrolled in Block Management as a Type 1 (hunter administered) property averaging 700+ hunter days. Nearby properties participating in block management (see figure 1) each support anywhere from 250-500 hunter days annually. The property lends itself well to other forms of outdoor recreation such as hiking, camping, birdwatching, wildlife photography, fossil hunting, etc. The property is bisected by and easily accessed by 2 county roads within easy reach of both Glendive and Wibaux, MT.

- f) **Management Considerations – 10 pts.** *(What are the initial and ongoing obligations and liabilities associated with this proposal? Less is better. For example –Tax and fee obligations, such as irrigation water fees? Infrastructure improvements for grazing management or other needs? Additional staffing and equipment needs? Juxtaposition to other Wildlife Division and FWP land interests? Houses or other buildings that would need maintenance or removal? Weed issues?)*

The initial and ongoing obligations associated with this project are minimal. Monitoring needs will be standard for conservation easements. There are no tax obligations or irrigation water fees. No additional staffing or equipment needs exist. There may be minor infrastructure needs necessary to implement the grazing system. The landowner has expressed great flexibility in terms of grazing and willingness to follow the FWP Minimum Standards for Grazing Livestock. The proposed easement is located SW of and in close proximity to the Horse Creek Complex Conservation Easement and a number of BMAs (Figure 1). It is within easy reach of the area biologist and conveniently located for other Regional and Helena staff.



Photo A



Photo B

Photos A& B: represent native prairie grasslands and shrub grasslands that dominate the Lost in Time property. Photo B taken at the head end of Cedar Creek.



Photo C



Photo D



Photo E

Photo C-E: Represent healthy intact sagebrush grasslands/ sagebrush steppe found on the Lost in Time property.



Photo F



Photo G



Photo H

Photo F-H: Hardwood draws located on the eastern portion of the Lost in Time property. Drainages typically dominated by a green ash overstory with a buffaloberry, chokecherry, aromatic sumac shrub component.



Photo I: Juniper/ ponderosa pine forests that dominate the west side of Lost in Time (Cedar Breaks) project.



Photo I: Cedar Creek Anticline oil & gas development on the west end of Lost in Time project area.